



Agenda Item No. 4.1.a.
For Agenda of Sept. 25, 2007

**TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD,
AND CITY CENTER DEVELOPMENT
AGENCY MEETING MINUTES
August 14, 2007**

Mayor Dirksen called the meeting to order at 6:32 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

Staff Present: City Manager Prosser, City Recorder Wheatley, City Attorney Ramis, Community Development Director Coffee, City Engineer Duenas, Buyer Barrett.

- **STUDY SESSION**

- Council Discussion Regarding Washington County Coordinating Committee (WCCC) Transportation Funding Options – Mayor Dirksen

Mayor Dirksen said he was seeking input from the City Council members regarding City and County road improvements. The WCCC is considering a Major Streets Transportation Improvement Plan (MSTIP) bond measure to catch up with needed street improvements. The consensus of the WCCC members was to restrict the MSTIP road projects to roads of county-wide significance. Some collector streets might be considered if regional significance can be justified.

The MSTIP bond measure will not be adequate for County and local road improvement needs. The County is considering increasing the Traffic Impact Fee (TIF) or replacing the TIF with a System Development Charge. There is some concern among the WCCC members that if one funding source is dropped but then a new funding source is not approved, then the source now available would be lost. Each municipality should consider adopting its own SDC. Mayor Dirksen explained that the WCCC is attempting to define a multi-tiered funding approach to deal with road improvements in a holistic manner to allow cities some flexibility to address traffic issues.

Councilor Wilson expressed concern that road improvements might be defined as widening existing roads instead of building new ones. He said he thinks that alternative routes do more to relieve congestion than anything else.

Councilor Buehner said she was generally in favor of the proposed approach by WCCC, but asked if the current status of the shortage of connecting roads in the southern county had been considered. Mayor Dirksen said there has been discussion about whether new roads in new areas could be added to the list. He said he would bring this up again. Councilor Buehner suggested that Mayor Dirksen also ask Tualatin, Sherwood and Wilsonville for support on more southern county roads since they would benefit as well.

Mayor Dirksen noted that after discussing the multi-tiered approach that eventually all of the city representatives to the WCCC agreed this could be of benefit. Mayor Dirksen also noted that there had been discussion of connecting Roy Rogers Road with 175th Avenue for a north/south connector. Councilor Buehner referred to Clark Hill Road as a logical connector.

Councilor Wilson urged that it was time to look at resolving transportation barriers to resolve problems with connectivity.

> Council Discussion Regarding the North Bethany Urban Renewal District

Mayor Dirksen reported that the City of Tigard was approached by Beaverton officials to support their opposition to the North Bethany Urban Renewal District. Mayor Dirksen advised he had been contacted by an *Oregonian* reporter on this matter; the Mayor advised that he did not think the City of Tigard Council would take a position on this issue. Adding urban population to areas where there is no infrastructure could be construed as an abuse of the urban renewal system. Tualatin Valley Fire & Rescue is tentatively supporting the District.

In response to a question from Councilor Buehner, Community Development Director Coffee advised that this is similar to the Bull Mountain situation. Councilor Buehner noted that this would eventually hurt everyone. Councilor Wilson added the effect on state and local government, which would subsidize these areas. Councilor Sherwood said she did not believe that the urban renewal laws were created for this purpose.

During discussion, City Manager Prosser noted the Greenfield urban renewal area in near the Portland airport. This area is zoned commercial.

Mayor Dirksen suggested the City Council would not take a formal position on the North Bethany matter, but issue a statement that the City of Tigard City Council is philosophically opposed to funding urban development in this manner. City Manager Prosser noted that Washington County Board Chair Brian is sponsoring an Urbanization Summit and a better approach might be to discuss this issue then.

After discussion, Council members agreed the City would not take a formal position on the Bethany matter but note a general philosophical opposition to using urban renewal in this manner along with concerns with setting a precedent. In addition the Council noted problems created when urbanization occurs without planning for infrastructure.

➤ Council Discussion Regarding the Library Building Coffee Bar

City Manager Prosser introduced Buyer Barrett. The coffee bar vendor in the Library will leave at the end of this month. Staff has talked to the Friends of the Library and others, who have shown no interest in operating the coffee bar.

Buyer Barrett said he was approached two months ago by a donut shop owner who was interested in the Library coffee bar space if it became available. This vendor is operating a business at the Sherwood Public Library.

Council discussion followed. Library patrons indicated, through surveys, that they want a coffee bar. The Council discussed the need for this business to be competitive. City Manager Prosser noted the City's efforts to assist a vendor to get a return on investment. He also noted that under State law the Commission for the Blind would have right of first refusal if it wanted to operate the business; per State policy the Commission does not pay rent or utilities and they would take all of the profits if they came forward.

Council members discussed ways to assist a vendor by allowing hours of operation to be longer than the open Library hours, better signage, more tables, comfortable seating, and close-by, short-term parking spots.

➤ Administrative Items

▪ Washington County Ten-Year Plan to End Homelessness

Councilor Sherwood explained the need for the County to write a plan to obtain Federal funding. Washington County cities are being asked to help fund the Grant application. Discussion followed about the need to address homelessness and all Council members expressed support for this funding. Councilor Sherwood described the efforts by the County shelter to provide services and their participation in developing the first part of the application. Councilor Sherwood noted she thought that the cities of Forest Grove and Sherwood are planning to pledge some funds to help procure this grant.

City Council members agreed that it would consider a budget amendment of \$5,000 to support Washington County's 10-Year Plan to End Homelessness grant application. A resolution for the City Council's consideration will be scheduled on the August 28, 2007, City Council agenda.

▪ Councilor Wilson and Councilor Woodruff will be absent for the August 21 City Council Workshop meeting. City Manager Prosser announced that a

recap of the August 21 workshop discussion will be presented during the August 28, 2007, City Council Study Session.

- City Council discussed its November and December Council Meeting Schedule
 - Council will be attending National League of Cities on November 13; City Council members agreed to cancel the November 13 meeting and hold a business meeting on November 6, 2007.

City Council agreed to hold two business meetings on December 11 and 18; the December 25, 2007, meeting is cancelled due to the Christmas holiday.

- Tigard/IWB/Lake Oswego Water Task Force

Staff is working to schedule a date for the first meeting. Information on the value of water rights will be sent to members of the Task Force.

- Street Globes – Downtown

Community Development Director Coffee asked if there was any direction on the street globes. Two examples of globes were on display in the room. Councilor Sherwood said, "I think it's got to go back." Mayor Dirksen said that, "We need to hand it off to the CCAC and see what they say." City Manager Prosser noted he had heard some Council discussion whereby there was interest in exploring a dark green color as a standard for Tigard.

Study Session concluded at 7:19 p.m.

1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council and Local Contract Review Board called the meeting to order at 7:36 p.m.

- 1.2 Roll Call:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

- 1.3 Pledge of Allegiance: Led by Boy Scout Troop #69 from Northwest Portland

1.4 Council Communications & Liaison Reports

1.5 Call to Council and Staff for Non-Agenda Items

2. CITIZEN COMMUNICATION

- John Frewing, 7110 SW Lola Lane, Tigard, Oregon said he was present tonight to appraise the City Council of a serious situation. He said that Tigard's Comprehensive Plan effort that began about two years ago is premised on determination of citizen values and development of ideas for goals, policies, and action items through a variety of citizen meetings, followed by review by boards and commissions, and then eventually forwarded to the City Council for adoption. This is the framework to follow under Oregon law.

Mr. Frewing referred to the incorporation of values through visioning documents and open houses. The process had moved forward with some staff work and presentation of data. Now Policy Interest Teams are meeting. Mr. Frewing said the new Comprehensive Plan will either reinforce our current policies, practices, and goals or to create new ones. A staff-prepared May 14 document refers to department review teams, which says that the primary duty is to review the goals, policies, and action measures to ensure compatibility with department work programs and projects. Mr. Frewing said that, to him, this violates the whole idea of the Comprehensive Plan – that the staff is going to make sure that any new policies are compatible with the historic and current practices, policies, preferences, and priorities of staff. He said this was not the job of staff.

Mr. Frewing said the Park and Recreation Board met last night. He has been a member of the Policy Interest Team that worked on development of goals, policies, and action items. He learned the City Manager directed that some of the policies be deleted and not considered. Mr. Frewing said it seemed to him that if the City Council wants to delete those policies and action items, that would be acceptable. He did not think the City Manager should be deleting items at this stage and said it might invalidate the Comprehensive Plan process completed so far. He asked the City Council direct the City Manager to not interfere in the development of policies until they get to the City Council. At that time, then the City Manager should state his opinion as would anyone else.

Mr. Frewing advised that the stricken policy and action items related to the creation of a city recreation program in addition to a parks land acquisition program. Mr. Frewing said he was not personally a fan of the city recreation program, but the Policy Interest Team and surveys that the Park and Recreation Board have done over the last two or three years all showed significant interest for a city recreation program. He did not think this should have been stricken from the proposals on the basis that it was not funded. He asked the City

Council to direct the City Manager that these types of things go forward until the Council has made its decision.

City Manager Prosser said clarification should be made; he did not direct that anything be stricken. He reported that the initial draft of the proposed action items regarding the recreation program had been written with general language suggesting that the City look into creating a recreation program. The second draft came back with very specific language saying that the City would place an operating levy on the ballot between November 2008 and November 2010. City Manager Prosser noted that this issue was brought to the City's Budget Committee, also a citizen group, and that was not the direction from the Budget Committee. This was setting up a conflict so City Manager Prosser suggested that the language was overly specific and probably did not belong in a policy document such as the Comprehensive Plan. Mayor Dirksen asked where the change to more specific language originated. City Manager Prosser said that was not clear and because the language was so specific, it would have committed the City to a course of action that had been turned down by the Budget Committee. The language was revised to convey that the City would "consider developing a recreation program and placing a funding measure before the voters." This language, City Manager Prosser said, represented the basic intent. Councilor Sherwood advised she thought this more general language was reasonable and she would not want language to be specific. Councilor Buehner agreed and said specific language would set up unrealistic expectations. Councilor Sherwood added such specific language might lead someone to expect that an election would be held by a certain date.

Mr. Frewing said staff has worked with the Policy Interest Team (citizens) to create the language. There were 10-12 changes that staff said the City Manager said should be made. City Manager Prosser advised the only issue he gave input on was for the recreation program item.

Mr. Frewing read one of the proposed policies that had been removed: "The City shall identify funding to build recreational facilities and provide a full-service recreational program." This was a recommendation from the Policy Interest Team and endorsed by the Park and Recreation Board according to Mr. Frewing. At the meeting last night, the document contained staff commentary stating: "Concerns have been raised that this policy is premature because the City must first assess the need, willingness, and ability of the community to pay for recreation services and related facilities. This is a fiscal issue that must be addressed prior to making policy." Mr. Frewing said that nothing would happen if we had to wait to identify the financial details. He said he thought it was sound to propose a policy, and acknowledged the City Council, as the decision makers, might decide against the proposed policy.

Councilor Buehner said the City Council did make a policy decision at the time of the budget. Mr. Frewing pointed out that this decision was for the year

2007/08. Councilor Buehner noted this was relating to whether the City was going to consider funding any kind of recreation program in the next three or four years. This was the decision made and staff was following up on that policy decision. Mr. Frewing said he disagreed; what the City Council acted on was the budget for the coming year. At the Budget meeting, Mr. Frewing pointed out the City Council said a recreation program was a good idea, but it could not be afforded now. Mr. Frewing said his objection is that the staff gets "into this" through a staff-review process and also through a final cut before it receives a full airing before the City Council.

Councilor Woodruff asked Mr. Frewing if his point was that anything coming from the Policy Interest Teams or the advisory committees should be unfiltered until it gets to the City Council. Mr. Frewing confirmed that Councilor Woodruff's statement was correct. He said the recommendation would go to the Planning Commission from the Policy Interest Team. This would be the process to winnow the document. If the Planning Commission wants to delete a policy, he believed they could do so. After review by the Planning Commission, the City Council would have the ability to add or delete items in the document. He reiterated that staff should not be able to review the proposals for consistency with department work programs and projects. He added the City Manager should not be able to direct that items be deleted because the funding is not yet clear. He said there are many proposals in the Comprehensive Plan draft material where funding is not yet clear. The Comprehensive Plan is a 20-year plan.

Mayor Dirksen said he agreed with the philosophy of Mr. Frewing that if these are recommendations that are coming out of the policy action groups, then they should come to the Planning Commission and the City Council unfiltered so these bodies can see what the recommendations are. Mayor Dirksen noted adjustments might be made. There was agreement that staff commentary would be appropriate.

Councilor Buehner said she did not agree with the Budget Committee as she thought we needed to go ahead with a recreation plan. But, since there was unwillingness to commit for a three-year period, she went along with the group because it did not make sense to try to do a program for one year. Councilor Buehner said she thought the Budget Committee had made a very clear policy decision and she did not want to see this proposal again. Mayor Dirksen said he thought the City Council should give the policy action groups a clear field; that is, "we get from them whatever we get from them."

Councilor Woodruff commented that the recommendation for the recreation program had come from Park and Recreation Board to the Budget Committee. If a broader interest group was now proposing the program, he did not think it would be unreasonable for this to be part of the document. He added that the Budget Committee has already indicated some concerns about this program, but

he would not have a problem in looking at this. Mr. Frewing agreed with Councilor Woodruff and said that next year the City Council might or might not decide to place something on the ballot for recreation. Councilor Sherwood said her concern was to add specific language about how the program is to be created. Mayor Dirksen said he thought it would be all right to keep this language while Councilor Sherwood noted that the City Council looks to staff for a detailed review of the document. Councilor Buehner again said she did not want to see any recommendation for a ballot measure in 2008, when a policy decision has already been made. Councilor Woodruff said City Manager Prosser's suggestion that the language be more general was something that should come to the City Council.

City Manager Prosser said he had concerns about the specific time frames. He said Mr. Frewing was correct about other language that had been removed; however, this language was duplicative. There is still language in the document that says the City will consider creating a recreation program.

City Attorney Ramis noted there will be a legal review of the document. Legal counsel will be looking at the document with regard to its legal sufficiency and enforceability. The distinction the attorneys will be looking for in the language is what language shall be enforceable policy and what language is intended to be aspirational. It is critical that as the City Council reviews the document, it distinguishes between what it intends to be legally enforceable and what is an aspiration that the City might want to pursue in the future. City Attorney Ramis added that this is a legal document that can be brought to the Land Use Board of Appeals to be enforced.

Councilor Wilson said the Comprehensive Plan sets the parameters for the zoning ordinance. What is being discussed at this time is a new City service. He asked whether non-land use related items should be considered. City Manager Prosser advised that a briefing on the Comprehensive Plan process is scheduled for next week's Council meeting; he suggested this matter could be discussed in more detail at that meeting. City Manager Prosser said we were hoping to have broader Comprehensive Plan to set the overall direction for the City, not just for land use, but for what we want to aspire to and achieve in the City of Tigard. Proposed chapters of the Comprehensive Plan will soon be forwarded to the Planning Commission and then will also eventually come before the City Council chapter by chapter. He acknowledged that he and Mr. Frewing have differing viewpoints.

Councilor Sherwood suggested to Mr. Frewing that he call the City Manager when he has concerns. Mr. Frewing said this had come up late yesterday evening.

- o Follow up to previous citizen communication: City Manager Prosser reviewed that Mr. Frewing had brought up concerns about construction activity at Ash

Creek Estates. Staff reviewed these concerns and replied to Mr. Frewing in an e-mail communication that was sent out today. The City's new arborist toured the site with the developer. The arborist confirmed that the tree-protection fencing is back in place. Dirt had been moved within the tree-protection zone and this has been cleaned up. The arborist verified that the proper protection measures are in place and reiterated with the builder the importance of making sure those measures are not even temporarily breached. The City's arborist also visited with the project arborist to stress the importance of the same items that had been reviewed with the builder.

3. CONSENT AGENDA: Mayor Dirksen reviewed the Consent Agenda:

- 3.1 Approve Council Minutes for May 22, 2007
- 3.2 Receive and File:
 - a. Council Calendar
 - b. Tentative Agenda
- 3.3 Approve an Intergovernmental Agreement with Metro Providing Tigard Police Department Support for the Enforcement of the Metro Illegal Disposal Ordinance
- 3.4 Approve a Resolution Approving Budget Amendment #3 to the FY 2007-08 Budget Increasing Interagency Revenues in the General Fund by \$90,620 and Increasing Appropriations by \$90,620 in the Police budget within the Community Services Program, to reflect an Intergovernmental Agreement between Metro and the City of Tigard to Assign a Tigard Police Officer for Enforcement of the Metro Illegal Disposal Ordinance - Resolution No. 07-52

RESOLUTION NO. 07-52 – A RESOLUTION APPROVING BUDGET AMENDMENT #3 TO THE FY 2007-08 BUDGET TO INCREASE APPROPRIATIONS IN THE POLICE BUDGET WITHIN THE COMMUNITY SERVICE PROGRAM TO REFLECT AN INTERGOVERNMENTAL AGREEMENT BETWEEN METRO AND THE CITY OF TIGARD ASSIGNING A TIGARD POLICE OFFICER TO METRO

- 3.5 Consider a Mutual Aid and Assistance Agreement with the Oregon Water/Wastewater Agency Response Network (ORWARN)
- 3.6 Consider an Amendment to the Intergovernmental Agreement with Clean Water Services
- 3.7 Consider a Third Amendment to the Joint Funding Agreement for the Integrated Water Resource Management (IWRM) Water Supply Feasibility Study (Tualatin Basin Water Supply Project)
- 3.8 Local Contract Review Board: Award of Contract for Installation of a Traffic Signal at the Durham Road/108th Avenue Intersection
- 3.9 Approve 2007 Justice Assistance Grant (JAG) Application

- 3.10 Approve Memorandum of Understanding Regarding Potential Real Property Trans-
action – Fred Fields and Tigard-Tualatin School District (Hall Blvd. Bus
Storage Site and Fields Property) – Resolution No. 07-53

RESOLUTION NO. 07-53 – A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF TIGARD AUTHORIZING THE CITY MANAGER
AND THE COMMUNITY DEVELOPMENT DIRECTOR TO
CONTINUE TO WORK WITH FRED W. FIELDS AND THE TIGARD-
TUALATIN SCHOOL DISTRICT IN EXPLORING OPTIONS FOR A
MUTUALLY BENEFICIAL REAL ESTATE TRANSACTION
INVOLVING THE HALL BOULEVARD BUS STORAGE SITE AND
THE FIELDS PROPERTY

Motion by Councilor Buehner, seconded by Councilor Sherwood, to approve
the Consent Agenda.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

4. REVIEW SECOND QUARTER COUNCIL GOAL UPDATE

City Manager Prosser presented the update on the Council goals for the second quarter
of 2007. City Manager Prosser noted that the City Council had adopted five goals at
the beginning of the year.

A copy of the staff report is on file in the City Recorder's office. Mayor Dirksen noted
one of the City Council's goals (No. 5) was to increase Tigard's involvement with other
government agencies. The Mayor noted that he and City Manager Prosser recently met
with County Chair Brian and Commissioner Rogers to discuss an issue that arose out of
miscommunication. Chair Brian and Mayor Dirksen have decided to speak to each
other by telephone every other week to bring each other up to speed on issues. Also
Metro is discussing a project called "Connecting Green." Metro President David
Bragdon has announced that he would someday like to be able to say that the Portland
area has the best park and recreation system in the world. Mayor Dirksen said he has
participated in several meetings and seminars regarding this program and how it might
be implemented.

Councilor Sherwood reported that she and Councilor Wilson attended a Metro
sponsored trip to Port Moody, Vancouver. They also attended a zoo function.

Participation in these two events has helped to open opportunity for communication between the City of Tigard and Metro.

5. APPROVE AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE (TMC 5.04 – BUSINESS TAXES) MAKING CHANGES TO THE CURRENT BUSINESS TAX STRUCTURE

Police Chief Dickinson presented the staff report; a copy is on file in the City Recorder's office. The changes in the proposed ordinance (Version 1 and 2) would fund a Commercial Crime Unit in the Police Department.

Police Chief Dickinson reviewed the two versions of the proposed ordinance:

Version 1 would change the business tax to a business license program along with implementing the other recommended administrative and collection procedures. Version 2 includes the same changes as outlined in Version 1, but includes those conditions where suspension or revocation of a business license could occur.

Staff recommended approval of Version 2.

Council discussion followed. Councilor Wilson noted he would be uncomfortable with the regulatory aspects of Version 2. During the discussion, Council reviewed the pros and cons with regard to having the ability of revoke a business license and to change the "tax" to a license program. City Attorney Ramis also reviewed the legal process whereby a business owner could appeal revocation of a business license. There was discussion about designating one or two councilors to review this matter in more depth. Councilor Wilson indicated he would be willing to work on this. If the City Council approves Version 1, then this would mean that the revenue stream created could be dedicated to a Commercial Crime Unit, effective January 2008. City Manager Prosser suggested the City Council consider Version 1 with the understanding this would be revisited at a later date.

Motion by Councilor Buehner, seconded by Councilor Woodruff to adopt Ordinance No. 07-15, Version 1.

ORDINANCE NO. 07-15 (VERSION 1) – AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE, TMC 5.04, MAKING CHANGES TO THE BUSINESS TAX STRUCTURE

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

6. CONSIDER A RESOLUTION REVISING THE FY 2007-08 CITYWIDE MASTER FEES AND CHARGES SCHEDULE TO INCORPORATE CHANGES IN THE CITY'S BUSINESS LICENSE FEE

Police Chief Dickinson presented the staff report. This change to the Master Fees and Charges Schedule relates to Agenda Item No. 5 above. A copy of the staff report outlining the information for this proposal is on file in the City Recorder's office.

During City Council discussion, Councilor Woodruff noted that the business license fee had not been increased in 20 years.

Motion by Councilor Sherwood, seconded by Councilor Wilson, to adopt Resolution No. 07-54.

RESOLUTION NO. 07-54 – A RESOLUTION REVISING THE FY 2007-08 CITYWIDE MASTER FEES AND CHARGES SCHEDULE TO INCORPORATE CHANGES IN THE CITY'S BUSINESS LICENSE FEE

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

7. CONSIDER A RESOLUTION APPROVING BUDGET AMENDMENT #1 TO THE FY 2007-08 BUDGET TO INCREASE APPROPRIATIONS IN THE POLICE BUDGET WITHIN THE COMMUNITY SERVICE PROGRAM FOR FUNDING OF A COMMERCIAL CRIME UNIT

Police Chief Dickinson presented the staff report; a copy is on file in the City Recorder's office. This budget amendment relates to Agenda Item Nos. 5 and 6 above.

City Manager Prosser noted there was a correction made to the original resolution submitted to the City Council. The agenda title for this item should have also been revised.

Councilor Woodruff thanked Police Chief Dickinson for his work in getting the Commercial Crime Unit funded and for obtaining the support of the business community. Councilor Buehner added she appreciated the time spent preparing this proposal for the City Council's consideration and added her thanks to Police Business Manager Imdieke for his work on this project.

Motion by Councilor Wilson, seconded by Councilor Buehner, to adopt Resolution No. 07-55.

RESOLUTION NO. 07-55 – A RESOLUTION APPROVING BUDGET
AMENDMENT #1 TO THE FY 2007-08 BUDGET TO INCREASE
APPROPRIATIONS IN THE POLICE BUDGET WITHIN THE COMMUNITY
SERVICE PROGRAM FOR FUNDING OF A COMMERCIAL CRIME UNIT

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Recess City Council Meeting (8:45 p.m.)

Motion by Councilor Sherwood, seconded by Councilor Buehner to recess the City Council meeting)

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Convene City Center Development Agency (CCDA) Meeting (8:55 p.m.)

- Chair Dirksen called the meeting to order at 8:55 p.m.
- Roll Call: Chair and Board Members of CCDA

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Chair Dirksen	✓	
Director Buehner	✓	
Director Sherwood	✓	
Director Wilson	✓	
Director Woodruff	✓	

8. DOWNTOWN URBAN DESIGN UPDATE – CITY CENTER ADVISORY COMMISSION (CCAC) AND PLANNING COMMISSION RECOMMENDATIONS

Associate Planner Farrelly presented the Staff report; a copy is on file in the City Recorder's office. City Center Development Agency received a briefing on the recommended format a level of design regulations for Downtown and the timeline to implement. The PowerPoint presentation overview is on file in the City Recorder's office.

In response to a question from Councilor Buehner, Associate Planner Farrelly advised that consultants from Leland Associates will be talking to developers to gain insight on this matter. Long Range Planning Manager Bunch reported that Jodie Inman and Tom Anderson have given input from a developer's perspective. There was support for design standards.

In response to a question from Mayor Dirksen, Associate Planner Farrelly advised that the cities of Bend and Eugene have used form-based code regulations. Mayor Dirksen commented he would like to know more about how the form-based code process would work with Oregon's land use laws referring to the incentives for a streamlined process. Councilor Wilson said he thought this proposal was an amplification of what the City is already doing citing the procedures for developing in the Tigard Triangle. In response to a concern by Councilor Wilson, Associate Planner Farrelly agreed that the form-based code provisions should provide guidance through certain principles, but still allow opportunity for some variety in development.

Discussion followed regarding form-based code principles and the development observed at Port Moody, B.C. During discussion with staff members Long Range Planning Manager Bunch and Associate Planner Farrelly it was noted that some regulations might address materials that were not considered desirable or methods to emphasize high quality, durable building materials. Long Range Planning Manager Bunch responded to the discussion noting land is getting more expensive and developers want to protect their investment. It's a matter of approach and getting direction from the leadership about what kind of community is wanted.

Chair Dirksen noted the multi-path approach described by staff is innovative and he looks forward to seeing where this will go.

Motion by Director Buehner, seconded by Director Woodruff to adjourn the City Center Development Agency meeting.

The motion was approved by a unanimous vote of the Agency members present.

Chair Dirksen	Yes
Director Buehner	Yes
Director Wilson	Yes
Director Sherwood	Yes
Director Woodruff	Yes

Adjourn City Center Development Agency (CCDA) Meeting: 9:20 p.m.

Reconvene City Council Meeting: 9:21 p.m.

- Mayor Dirksen reconvened the City Council meeting.
- City Council present:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

9. FINALIZE SANITARY SEWER REIMBURSEMENT DISTRICT NO. 37 (SW 87TH AND HALL BLVD.)

Mayor Dirksen opened the public hearing.

There were no declarations or challenges.

City Engineer Duenas presented the staff report; a copy is on file in the City Recorder's office. The PowerPoint presentation overview is on file in the City Recorder's office. The proposed resolution would finalize Reimbursement District No. 37 as modified by the final City Engineer's report.

Public Testimony:

- Connie Curtis, 15285 SW Alderbrook Court, Tigard, OR 97224 testified about her concerns for increases in costs and her potential plans to develop her property. She noted her problems with getting maps from the City. City Engineer Duenas explained maps can be provided and noted the property was staked out for Ms. Curtis. He referred to printed materials provided to the property owners within the district. Ms. Curtis had requested information about

costs associated with different development scenarios and City Engineer Duenas advised that staff should not give "development advice." City Engineer Duenas advised that maps could be provided to Ms. Curtis.

City Engineer Duenas advised staff recommended approval of the finalization of Sanitary Sewer Reimbursement District No. 37 (SW 87th and Hall Boulevard), as proposed in the Resolution before the City Council.

Mayor Dirksen closed the public hearing.

Motion by Councilor Buehner, seconded by Councilor Woodruff, to adopt Resolution No. 07-56.

A RESOLUTION FINALIZING SEWER REIMBURSEMENT DISTRICT NO. 37 (SW 87TH COURT AND HALL BOULEVARD) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 07-06

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

10. PUBLIC HEARING – CONSIDER REQUIREMENT THAT ALL CHIEF PETITIONERS FOR A CITY OF TIGARD INITIATIVE, REFERENDUM OR RECALL PROCESS BE ELECTORS OF THE CITY OF TIGARD

Mayor Dirksen opened the public hearing.

There were no declarations or challenges

City Recorder Wheatley presented the staff report; a copy is on file in the City Recorder's office.

Public Testimony: None.

In response to a question from Councilor Woodruff, City Manager Prosser clarified that this ordinance would apply to ballots for City of Tigard voters only.

Councilor Buehner noted her concerns that too many outside interests were trying to impose their own interests on local voters. She said she thinks petitions should be started and finished by the people who are going to be affected by them.

Staff recommended the City Council consider the proposed ordinance.

Mayor Dirksen closed the public hearing.

Motion by Councilor Sherwood, seconded by Councilor Woodruff, to adopt Ordinance No. 07-16.

AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE BY
ADDING SECTION 1.12.060 REQUIRING CHIEF PETITIONERS FOR A
CITY OF TIGARD INITIATIVE, REFERENDUM OR RECALL PETITION
BE ELECTORS OF THE CITY OF TIGARD

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

11. PUBLIC HEARING – CONSIDER A RESOLUTION GRANTING AN
EXEMPTION FROM COMPETITIVE BIDDING UNDER PUBLIC
CONTRACTING RULE NO. 10.110 FOR THE CONSTRUCTION OF THE
HITEON CREEK RIPARIAN ENHANCEMENT PROJECT AND AWARDED
A CONTRACT FOR THIS PROJECT TO DEVELOPER DOUGLAS A. FRY

Local Contract Review Board Chair Dirksen opened the public hearing.

There were no declarations or challenges.

Assistant Public Works Director Rager presented the staff report; a copy is on file in the City Recorder's office. He noted the estimated due date will be longer than what was noted in the staff report and advised the overall project will take much longer with the engineering work taking 14-20 days.

Public Testimony: None.

Local Contract Review Board Chair Dirksen closed the public hearing.

Councilor Woodruff noted his appreciation for the formal purchasing rules; however, there are times when an exception should be granted and he felt this was one of those times.

Motion by Board Member Woodruff, seconded by Board Member Wilson, to adopt Local Contract Review Board Resolution No. 07-01.

LCRB RESOLUTION NO. 07-01 – A RESOLUTION TO APPROVE FINDINGS FOR AN EXEMPTION FROM COMPETITIVE BIDDING UNDER PUBLIC CONTRACTING RULES 10.110 FOR THE HITEON CREEK RIPARIAN ENHANCEMENT PROJECT AND AWARD A CONTRACT FOR THIS PROJECT TO DEVELOPER DOUGLAS A. FRY

The motion was approved by a unanimous vote of Local Contract Review Board members present.

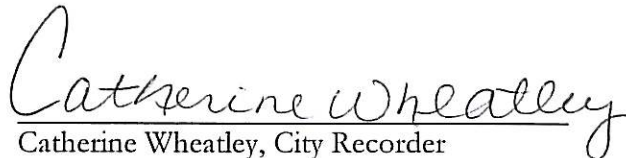
Chair Dirksen	Yes
Board Member Buehner	Yes
Board Member Sherwood	Yes
Board Member Wilson	Yes
Board Member Woodruff	Yes

➤ ADJOURNMENT: 9:45 p.m.

Motion by Councilor Wilson, seconded by Councilor Buehner, to adjourn the meeting.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes


Catherine Wheatley, City Recorder

Attest:



Mayor, City of Tigard

Date: 9.25.07

I:\ADM\Cathy\CCM\2007\070814 ccm.doc